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correctly even under the doctrine laid down in *Weems v. U. S.*, *supra*. The court has been criticised for ignoring the fact that life imprisonment involved such a segregation as would prevent procreation, thereby accomplishing the purpose of the statute. 12 Law Notes, 122. But it is submitted that as the practical possibilities of pardon even for revolting crimes are well known, the court was justified in effectually carrying out the real purpose of the statute and placing the matter beyond recall.

There is, however, one matter that might well have been given some attention in this, the first case on sterilization of criminals to go to a court of last resort. The decision goes on the assumption that some possible pain incident to the operation itself is the only punishment to be discussed and appears to ignore entirely the fact that the power to have children might be a much greater punishment. Castration is often mentioned in the older cases along with quartering, etc., as an example of a cruel and unusual punishment. Were the pain, the loss of sexual enjoyment and the effect on the man's physique, rather than the loss of procreative power, the cruel features of it? The principal case would seem to imply an affirmative answer. It is submitted that this is too important a question to be settled by implication alone. For further discussion of vasectomy and sterilization in general, see 23 *Medico-Legal Journal* 684, 27 *id.* 134, 29 *id.* 92; *Pearson's Mag.*, Nov., 1909.

**Attempts to Rescue Imperiled Person.**—It is well established, though perhaps not by a uniform line of decisions by all the courts, that when, through the negligence of one person, another is placed in imminent peril of his life, a third person, standing by, who successfully rescues or unsuccessfully attempts to rescue the imperiled person may recover for injuries received by him in the attempt, in an action against the one whose negligence imperiled the life of the rescued person, unless it appear that the attempt to rescue was clearly one of rashness or recklessness under the circumstances presented. *Perpich v. Mining Co. (Minn.)*, 137 N. W. 12, 76 Cent. Law Jour. 11, and note. The authorities are practically all collected in a note to *Corbin v. City of Philadelphia*, 49 L. R. A. 715.

In a late Virginia case it was held that to excuse the contributory negligence of the plaintiff in voluntarily risking his own life or safety in attempting to rescue another, the person rescued must have been at the time of the attempt to rescue in imminent danger, and this peril must have been caused by the negligence of the defendant. *Wright v. Atlantic Coast Line R. Co.*, 110 Va. 670, 66 S. E. 848.